

F. M. HOLTHOFF, SOLE HEIR.

LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS
TRANSMITTING A COPY OF THE FINDINGS OF THE COURT IN
THE CASE OF F. M. HOLTHOFF AGAINST THE UNITED STATES.

FEBRUARY 1, 1902.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 31, 1902.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. DAVID B. HENDERSON,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 5770. Estate of Frank Holthoff, deceased, v. The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Frank Holthoff, deceased, the person alleged to have furnished such supplies or stores or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

By THE COURT.

Filed December 2, 1901.

[Court of Claims. Congressional case No. 5770. F. M. Holthoff, sole heir, Frank Holthoff, deceased, v. The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies, or stores, alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 6th day of August, 1888.

On a preliminary inquiry the court, on the 2d day of December, 1901, found that the person alleged to have furnished the supplies, or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 16th day of January, 1902. Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by John Q. Thompson, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in Ashley County, State of Arkansas, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from said decedent quartermaster stores and commissary supplies of the value of \$770 and appropriated the same to the use of the United States Army, as follows:

Taken by United States cavalry under Col. E. D. Osborne on or before February 5, 1865:

1 horse, \$200, 1 saddle, \$25.....	\$225
50 bushels of corn, at \$1.50 per bushel	75
10 loads of fire wood, at \$2 per load	20
200 pounds bacon, at 25 cents per pound	50
2,000 pounds wheat flour, at 10 cents	200
200 pounds sugar, at 25 cents per pound	50
Plank fencing, rails, and posts around 2 acres of garden.....	150
Total	770

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

There was taken from the claimant's decedent, in Ashley County, State of Arkansas, during the war of the rebellion, by the military forces of the United States, for the use of the Army, property of the kind and character above described, which was then and there reasonably worth the sum of three hundred and twenty-five dollars (\$325).

No payment appears to have been made therefor.

Filed January 20, 1902.

A true copy.

Test this 30th day of January, 1902.

[SEAL.]

BY THE COURT

JOHN RANDOLPH,
Assistant Clerk Court of Claims.